IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DAVID M. GRIGGS

CIVIL ACTION

٧,

ACTING WARDEN SAUER, LSCI ALLENWOOD, et al.

NO: 11-3573

<u>ORDER</u>

ROBERT F. KELLY, S.J.,

AND NOW, this /9th day of March , 2012, upon careful and independent consideration of the petition for writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey, IT IS ORDERED that:

- 1. The Report and Recommendation is APPROVED and ADOPTED.
- 2. The petition for a writ of habeas corpus is DISMISSED.
- 3. There is <u>no</u> basis for the issuance of a certificate of appealability.

BY THE COURT:

ROBERT F. KELLY, S.J.